UNITED STATES PATENT AND TRADEMARK OFFICE

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10/656,511	09/05/2003	Joseph Peter Robert Tosey	434300-490	8023

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>04 November 2010</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-62</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-62</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

         1. ☐ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____.

         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date <u>11/4/10</u>

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____

DETAILED ACTION

1.   Claims 1-62 are pending in this application and presented for examination.

Response to Arguments

2.   Applicant's arguments filed 11/4/10 have been fully considered but they are not

persuasive.

3.   As to claim 1, the applicant argues the examiner has failed to adequately cite the

portions of prior art. The examiner respectfully disagrees. Oberhaus clearly discloses the

synchronization between two mailboxes in the abstract of the reference. The examiner will

further explain the references applicability in relation to the specific points raised by the

applicant below. Therefore, the examiner maintains the citations reasonably apply to the

claim language.

4.   Further regarding claim 1, the applicant argues Rigaldies does not disclose a third

entity involved in the synchronization. The examiner respectfully disagrees. Any changes

made by the user's workstation mailbox are replicated to the voice-mail server and

synchronization between the voice-mail server and the e-mail server also occur (Abstract;

Fig. 1-4; Col. 10, ln. 1-8; Col. 15, ln. 59 – Col. 16, ln. 6). For example, Rigaldies discloses that

the voice-mail message store on the voice-mail server synchronizes with the client to obtain

all voice-mail and e-mail (Abstract, "the voice-mail message store contains both the voice-

mail and e-mail; Fig. 1-4) and that the e-mail message store on the e-mail server may also

contain all voice-mail and e-mail (Abstract, "the e-mail message store contains both the e-

mail and the voice-mail; Fig. 1-4). Therefore, synchronization is occurring between the

workstation mailbox, the e-mail message store, and the voice-mail message store.

Additionally, any mail sent from the mail server to the client may be seen as replication

between two devices, and then synchronization of the client's mail with the voice-mail

server is synchronization with a third device (Abstract; Fig. 1-4).

5.   Further regarding claim 1, the applicant argues Oberhaus fails to disclose receiving

information from a client computing device, because the information is from the local mail

server and the wireless mail system. The examiner respectfully disagrees. The reference

discloses that the synchronization is done in order to ensure synchronization occurs between

the user's computer and mobile device. Therefore, any changes would be in reference to

modifications made on those devices and therefore the information ultimately comes from

the client device and the associated end user (Abstract, ln. 1-5, "the user is able to effectively

see and interact with only a single 'virtual' mailbox, which is the synchronized combination

of two different electronic mailboxes"; Col. 2, ln. 26-46; Col. 3, ln. 28-54; Col. 8, ln. 57-58).

6.   Further regarding claim 1, the applicant argues Oberhaus fails to disclose the client

devices maintaining copies of the application database. The examiner respectfully disagrees.

Oberhaus discloses that the mobile device mail server stores and then handles the "delivery"

of mail to the mobile device (Col. 3, ln. 28-54). The local mail server performs the same for

the desktop computer (Col. 3, ln. 28-54). If the mail is delivered to the mobile device and the

desktop computer, it may be interpreted as being stored, at least temporarily. Additionally, in

order to view email on a display at the desktop computer or mobile device, the mail must be

stored locally in temporary memory, such as the random-access memory disclosed by

Oberhaus (Col. 24, ln. 3-12).

7.   Further regarding claim 1, the applicant argues Oberhaus fails to disclose the

synchronization request coming from a client device. However, even assuming the request

does not come from the user's computer or mobile device, the applicant states the mail synch

client is involved in the synchronization. The mail synch "client" is clearly a client device as

indicated by the language of the reference (Abstract, ln. 1-5, "the user is able to effectively

see and interact with only a single 'virtual' mailbox, which is the synchronized combination

of two different electronic mailboxes"; Col. 2, ln. 26-46; Col. 3, ln. 28-54; Col. 8, ln. 57-58).

8.   Further regarding claim 1, the applicant argues Oberhaus discloses the mail synch

client synchronizing mail between the local mail server and the wireless system, as opposed

to the user's computer and the mobile device. However, as discussed above, the reference

discloses that the synchronization is done in order to ensure synchronization occurs between

the user's computer and mobile device. Therefore, any changes would be in reference to

modifications made on those devices and therefore the information ultimately comes from

the client device and the associated end user (Abstract, ln. 1-5, "the user is able to effectively

see and interact with only a single 'virtual' mailbox, which is the synchronized combination

of two different electronic mailboxes"; Col. 2, ln. 26-46; Col. 3, ln. 28-54; Col. 8, ln. 57-58).

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to a
> person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

10.   Claims 1-2, 5, 8-11, 14, 17-20, 23, 26-34, 37, 39-43, 46, 49-53, 56, and 59-62 are

rejected under 35 U.S.C. 103(a) as being unpatentable over Rigaldies et al. (Rigaldies), U.S.

Patent No. 6,792,085 B1, in view of Oberhaus et al. (Oberhaus), U.S. Patent No. 6,983,308

B1.

11.   As to claim 1, Rigaldies discloses a computer implemented method, comprising:

by a mail server, receiving information from a first computing device regarding every

change made to an application database located on the first computing device (Abstract; Col.

4, ln. 29-35 and 41-60; Col. 22, ln. 21-23; the client, e-mail server and voice-mail all have

respective databases in the form of workstation mailbox, e-mail message store, and voice-

mail message store respectively; Fig. 6; Col. 13, ln. 43-60; Col. 15, ln. 44-58; Col. 19, ln. 40-

57; on-going synchronization occurs via the agent notifying the voice-mail server of any new

status of a message);

by the mail server, storing the information in a mail folder on the mail server, the

mail folder corresponding to a user associated with the first computing device and a second

computing device (Abstract; Fig. 1-4; Col. 10, ln. 1-8; Col. 15, ln. 59 – Col. 16, ln. 6; the

workstation mailbox is replicated/synchronized to the voice-mail server, the voice-mail

server inherently includes a mailbox representing the user to accomplish said

replication/synchronization) maintaining a copy of the application database (Abstract; Col. 4,

ln. 29-35 and 41-60; Col. 22, ln. 21-23; the client, e-mail server and voice-mail all have

respective databases in the form of workstation mailbox, e-mail message store, and voice-

mail message store respectively; Fig. 6; Col. 13, ln. 43-60; Col. 15, ln. 44-58; Col. 19, ln. 40-

57; on-going synchronization occurs via the agent notifying the voice-mail server of any new

status of a message); and

forwarding, by the mail server, the information from the mail folder to the second

computing device (Fig. 2; Col. 12, ln. 14-43).

Rigaldies is silent on the synchronization being done between the mail server and a

first and second *client* computing device;

by the mail server, receiving a synchronization request from the second client

computing device and

responsive to the synchronization request, forwarding the information.

However, Oberhaus discloses synchronization (in a manner similar to that disclosed

by Rigaldies) between a mail server and a first and second *client* computing device (Abstract,

ln. 1-5; Col. 2, ln. 26-46; Col. 3, ln. 28-54; Col. 8, ln. 57-58);

by the mail server, receiving a synchronization request from the second client

computing device (Abstract, ln. 1-5; Col. 2, ln. 26-46; Col. 3, ln. 28-54; Col. 8, ln. 57-58) and

responsive to the synchronization request, forwarding the information (Abstract, ln.

1-5; Col. 2, ln. 26-46; Col. 3, ln. 28-54; Col. 8, ln. 57-58).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the teachings of Rigaldies in the aforementioned manner as taught by

Oberhaus in order to enable multiple mailboxes of a user to be synchronized and provide a

single "virtual" mailbox (Oberhaus: Col. 1, ln. 56-61) for ease of viewing.

12.   As to claim 2, Rigaldies and Oberhaus disclose the invention substantially as in parent

claim 1, wherein the information includes a record for each change made to the application

database since said last synchronization (Rigaldies: Col. 18, ln. 31-39; Col. 18, ln. 61 – Col. 19,

ln. 23).

13.   As to claim 5, Rigaldies and Oberhaus disclose the invention substantially as in parent

claim 2, wherein the record for each change includes an identification of the record

(Rigaldies: Col. 18, ln. 20-39; Col. 18, ln. 61 – Col. 19, ln. 23; Col. 19, ln. 40-57).

14.   As to claim 8, Rigaldies and Oberhaus disclose the invention substantially as in parent

claim 1, further comprising:

        deleting the information from said mail folder after said forwarding (Rigaldies: Col.

18, ln. 31-39).

15.   As to claims 9, 18, 27, 29, 31, 33, 41, 51, and 60-62, the claims are rejected for reasons

similar to claim 1 above.

16.   As to claim 10, Rigaldies and Oberhaus disclose the invention substantially as in

parent claim 9, wherein the uploading occurs in response to a request for synchronization on

the first client computing device (Rigaldies: Fig. 2).

17.   As to claim 11, Rigaldies and Oberhaus disclose the invention substantially as in

parent claim 9, wherein the downloading occurs in response to a request for synchronization

on the second client computing device (Rigaldies: Col. 4, ln. 41-60; Col. 12, ln. 14-43).

18.   As to claims 14, 23, 37, 46, and 56, the claims are rejected for reasons similar to claim

5 above.

19.   As to claims 17, 26, 28, 30, 32, 39-40, 49-50, and 59, the claims are rejected for reasons

similar to claim 8 above.

20.   As to claims 19, 42, and 52, the claims are rejected for reasons similar to claim 10

above.

21.   As to claims 20, 43, and 53, the claims are rejected for reasons similar to claim 11

above.

22.   As to claim 34, the claim is rejected for reasons similar to claim 2 above.

23.   Claims 3, 12, 21, 35, 44, and 54 are rejected under 35 U.S.C. 103(a) as obvious over

Rigaldies and Oberhaus as applied to claims 2, 9, 18, 34, 41, and 51 above, in view of Christie

et al. (Christie), U.S. Patent No. 5,757,669.

24.   As to claim 3, Rigaldies may be interpreted as inherently disclosing the record for

each change includes an identification of the computing device where the change took place

as discussed in reference to parent claim 2 (Col. 18, ln. 31-39; Col. 18, ln. 61 – Col. 19, ln. 23).

This is due to the fact that Rigaldies discloses synchronization between a single workstation

and a single mobile phone. As a consequence, the user must know that any status change

synchronization on one device is occurring to a change made by the other device (Abstract;

Col. 4, ln. 29-35 and 41-60). However, Rigaldies does not explicitly disclose that a record is

kept of the device identifiers related to changes.

     However, Christie does explicitly disclose the record for each change includes an

identification of the client computing device where the change took place (Col. 3, ln. 47-49).

Identification of a device responsible for changes in a networking environment is extremely

well known in the networking and database management arts. Networking and database

management rely heavily on the identification of devices responsible for actions, in order to

facilitate management and communication between devices.

The benefit of identifying the device responsible for a change in Christie is facilitating

message forum communication (Col. 3, ln. 26-35). The entity responsible for the creation of a

message is vital in message forums.

This benefit is also of use in Rigaldies' environment. Electronic mail and voice

messages are sent and received by a user. It is crucial that a record is kept by the identity of

message senders. Additionally, a benefit of device identity being stored would be that each

user computing device (the mobile phone and workstation) in Rigaldies' environment could

thus ensure that the end user is responsible for changes being made and that changes on

messages are not coming from a hostile outside user. Thus both network communication and

network security are benefits of identifying the creating entity in regards to electronic

messages.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the teachings of Rigaldies and Oberhaus by storing the identity of a user

computing device responsible for a change in a change record as taught by Christie in order

to facilitate network communications and network security as discussed above.

25.   As to claims 12, 21, 35, 44, and 54, the claims are rejected for reasons similar to claim

3 above.

26.   Claims 4, 6, 13, 15, 22, 24, 36, 38, 45, 47, 55, and 57 are rejected under 35 U.S.C.

103(a) as being unpatentable over Rigaldies and Oberhaus as applied to claims 2, 9, 18, 34, 41,

and 51 above, in view of LaRue et al. (LaRue), U.S. Patent No. 6,449,622 B1.

27.   As to claim 4, Rigaldies and Oberhaus disclose the invention substantially as in parent

claim 2, including a record for each change used to synchronize with the mail server

(Rigaldies: Col. 18, ln. 31-39; Col. 18, ln. 61 – Col. 19, ln. 23), but is silent on the record for

each change includes a time stamp indicating the time the record is synchronized with the

server.

        However, LaRue discloses the record for each change includes a time stamp indicating

the time the record is synchronized with the server (Col. 32, ln. 24-56).

        It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the teachings of Rigaldies and Oberhaus by recording a time stamp

indicating the last time a record was synchronized with a server as taught by LaRue in order

to compare change times between the server and the client in order to ensure that records

are not obsolete (LaRue: Col. 32, ln. 24-37).

28.   As to claims 6, 13, 15, 22, 24, 36, 38, 45, 47, 55, and 57, the claims are rejected for

reasons similar to claim 4 above.

29.   Claims 7, 16, 25, 48, and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Rigaldies and Oberhaus as applied to claims 2, 9, 18, 41, and 51, in view of Malik, U.S.

Publication No. 2002/0065892 A1.

30.   As to claim 7, Rigaldies and Oberhaus disclose the invention substantially as in parent

claim 2, including a record for each change associated with a change-action-queue record

(Rigaldies: Col. 18, ln. 31-39; Col. 18, ln. 61 – Col. 19, ln. 23), but is silent on the record for

each change includes a location and identify of attachment documents.

        However, Malik discloses the record for each change includes a location and identify

of attachment documents ([0026] – [0028]).

        It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the teachings of Rigaldies and Oberhaus by including a location and

identify of attachment documents in a record as taught by Malik in order to minimize the

amount of duplicate copies of an identical attachment stored in a mail store (Malik: [0020]).

31.   As to claims 16, 25, 48, and 58, the claims are rejected for reasons similar to claim 7

above.

Conclusion

32.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. See the Notice of References Cited (PTO-892).

33.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until

after the end of the THREE-MONTH shortened statutory period, then the shortened

statutory period will expire on the date the advisory action is mailed, and any extension fee

pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action.

In no event, however, will the statutory period for reply expire later than SIX MONTHS

from the mailing date of this final action.

34.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to BRIAN P. WHIPPLE whose telephone number is (571)270-

1244. The examiner can normally be reached on Mon-Fri (8:30 AM to 5:00 PM EST).

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Firmin Backer can be reached on 571-272-6703. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information

for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access

to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197

(toll-free). If you would like assistance from a USPTO Customer Service Representative or

access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or

571-272-1000.

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1/4/11

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